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Facsimile Cover Sheet

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**Date:** Friday, July 07, 2006 11:19:44 AM**From:** Gregory M. Smith**CC:****Transmitting to:** Sathyanaraya R. Pannala**Client No.:** 00521 00006**Total Pages:** 03 including cover sheet**Phone:** 312-201-2825**Company:** United States Patent and Trademark Office**Company Phone:** 1-571-272-4115**Company Fax:** 1-571-273-8300**Subject/Notes:**

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Benjamin W. Schmitz et al.  
Serial No.: 09/872,948  
Filed: June 1, 2001  
Title: System and Method for Receiving and Loading Fare and Schedule Data  
Examiner: Sathyanaraya R. Pannala  
Art Unit: 2164

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPEDITED PROCESSING REQUESTED**  
*Response Under 37 CFR §1.116*  
*Examining Group No. 2164*

## RESPONSE TO ADVISORY ACTION

Dear Sir:

Applicant wishes to thank Examiner Pannala for the courtesies extended during the telephonic interviews conducted with Gregory M. Smith on July 5, 2006. Pursuant to these interviews and in response to the Advisory Action of June 13, 2006, Applicant states as follows:

As discussed, MPEP §804(I)(B)(2) states that, "[i]f a 'provisional' statutory double patenting rejection is the only rejection remaining in one of the applications (but not both), the examiner should withdraw the rejection in that application and permit that application to issue as a patent..." In this case, the provisional double patenting rejection raised in the Advisory Action is the only rejection remaining in the above application. The second application mentioned in the Advisory Action, continuation application 11/368,774, is a later filed application and has not yet been examined.

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Therefore, pursuant to MPEP §804, Applicant respectfully requests that the provisional double patenting rejection of claims 23-25 be withdrawn and a Notice of Allowance for these claims is respectfully requested.

Respectfully submitted,

Dated: 7/7/06By: Gregory M. Smith

Gregory M. Smith

Reg. No. 43,136

Attorney for Applicant

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